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ATTORNEY DOCKET NO. 10990641-1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Inventor(s): Peter G. Webb

Serial No.: 09/359,527

Examiner: Betty J. Forman

Filing Date: July 22, 1999

Group Art Unit: 1634

Title: METHODS OF FABRICATING AN ADDRESSABLE ARRAY OF BIOPOLYMER PROBES

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
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**TERMINAL DISCLAIMER**  
**RESPONSIVE TO A DOUBLE PATENTING REJECTION**

Sir:

Petitioner, Agilent Technologies Inc., is the owner of 100 percent interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 156 to 158 and 173 as shortened by any terminal disclaimer of prior Patent No. 6,939,673 to Agilent Technologies Inc., which issued on 09-08-05 and is commonly owned by Applicant. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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